

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

A probation revocation hearing on supervised release violations was held before the undersigned Magistrate Judge on December 20, 2005. The United States was represented by Assistant United States Attorney Norman Barbosa, and the defendant by Ms. Carol Koller. The proceedings were recorded on cassette tape.

The defendant had been sentenced on or about September 24, 1999, on a charge of bank robbery. The defendant was sentenced to 60 months in custody followed by five years of supervised release.

In a Petition for Warrant dated October 6, 2005, U.S. Probation Officer Calvin Bouma alleged the defendant committed the following violations of the conditions of his supervised release:

1. Using cocaine on or about August 26, 2005, and September 1, 2005, and cocaine, methamphetamine, and amphetamine on September 6, 2005, in violation of standard condition No. 7.

2. Failing to appear for drug testing on or about September 29, 2005, in violation of the special condition requiring him to participate in a program for treatment of drug dependency to include testing for the use of drugs.

3. Associating with a convicted felon, Jason M. Bowen, on or about October 3, 2005, at 1:56 a.m., in violation of standard condition No. 9.

At the probation revocation hearing on December 20, 2005, defendant was advised in full as to the charges of violating the conditions of his supervised released, and as to his constitutional rights.

The defendant admitted to violations 1 and 3, and waived any evidentiary hearing as to whether they occurred. As to violation 2, the defendant requested an evidentiary hearing, which is scheduled for January 4, 2006, at 2:00 p.m., before the undersigned United States Magistrate Judge. At that time, a disposition date for violations 1 and 3, and possibly for violation 2, will be set.

Pending the evidentiary hearing on January 4, 2006, the defendant has been detained.

DATED this 20th day of December, 2005.

s/ James P. Donohue
United States Magistrate Judge

cc: District Judge: The Hon. Thomas S. Zilly
AUSA: Mr. Norman Barbosa
Defendant's attorney: Ms. Carol Koller
Probation officer: Mr. Calvin Bouma